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May 4, 2004

FCC - MAILROOM

To: Marlene H. Dortch,
Secretary, FCC

Enclosed are the original and four copies of a Petition for Rulemaking to amend the DTV Table of Allotments.

Your assistance on this matter is greatly appreciated.

Sincerely,

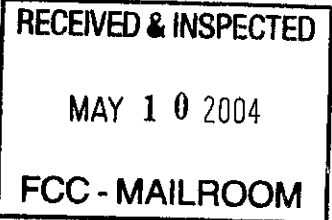


Thomas Desmond
3216 Verbena Drive
Plano, TX 75075

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04-104

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**



In the Matter of)
)
Amendment of Section 73.622(b)) **RM-**_____
Table of Allotments)
DTV Table of Allotments)
(Medical Lake, WA))

To: Chief, Video Division

PETITION FOR RULEMAKING

1. Thomas Desmond ("Desmond"), pursuant to Sections 1.401(a) and 73.622(a) of the Commission's Rules, hereby petitions (the "Petition") the Commission to institute a rulemaking proceeding to amend the Digital Television Table of Allotments to allot DTV Channel 51 to Medical Lake, Washington, as that community's first local commercial television service. Section 73.622(b) would be amended as follows:

| <u>Community</u> | <u>Present</u> | <u>Proposed</u> |
|------------------|----------------|-----------------|
| Medical Lake, WA | ----- | 51 |

No other change in the existing DTV Table of Allotments is requested.

2. **Desmond's Proposal meets the FCC's Separation Requirements.** As shown in the attached Engineering Technical Statement, the allotment of DTV Channel 51 to Medical Lake at the reference coordinates for Medical Lake meet all spacing requirements set forth under Section 73.623(d) of the Rules. No short spacing or prohibited contour overlap will be caused to any known full power or Class A television license, construction permit, or pending modification application. Therefore, the Commission may act promptly on this Petition.

3. Desmond's Proposal Serves the Public Interest Under the FCC's TV Allotment Priorities. As noted, the allotment of DTV Channel 51 will provide Medical Lake with a first local commercial television service, promoting the underlying objectives of Section 307(b) of the Communications Act of 1934, as amended, by providing a fair, efficient, and equitable distribution of television broadcast stations to communities within the United States. It also serves the Commission's second television allotment priority of providing each community with at least one television broadcast station. *See Sixth Report and Order on Television Allocations, 41 FCC 148, 167 (1952).*

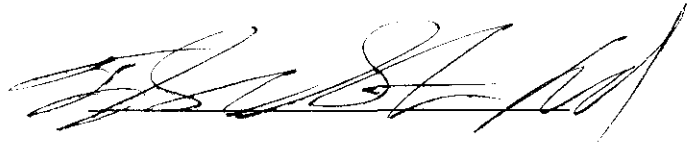
4. Medical Lake is Deserving of a First Television Service. The community of Medical Lake is an incorporated community, located in Spokane County, in eastern Washington state. Medical Lake is an incorporated community with a population of 3,758 people per the 2000 census. The FCC has previously found that Medical Lake has the attributes necessary for allotment purposes, as Medical Lake is the city of license for commercial FM broadcast station KTSL (channel 270C2).

5. Desmond's Declaration of Intent. If Desmond's proposal set forth herein is adopted, and the Commission allots DTV Channel 51 to Medical Lake, Washington, as requested, Desmond will file an appropriate application and will construct the new station facilities, if authorized to do so.

CONCLUSION

6. For the preceding reasons, Desmond hereby respectfully requests that the Commission promptly initiate a rulemaking proceeding to amend the DTV Table of Allotments to allot DTV Channel 51 to Medical Lake, Washington, as that community's first local commercial television service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas S. Desmond', written over a horizontal line.

Thomas S. Desmond
3216 Verbena Drive
Plano, TX 75075
Telephone: 972-422-4674
E-mail: tdesmond@sprynet.com

May 04, 2004

**ENGINEERING TECHNICAL STATEMENT PREPARED BY THOMAS
DESMOND, ON HIS OWN BEHALF, IN SUPPORT OF A PETITION FOR
RULEMAKING TO AMEND THE DTV TABLE OF ALLOTMENTS
MEDICAL LAKE, WASHINGTON**

Pursuant to Section 74.622(a), a petitioner who requests to amend the DTV Table of Allotments to add a new channel must demonstrate a geographic site which is compliant with the geographic spacing criteria of Section 73.623(d). Exhibit I demonstrates that the instant Petition is compliant with the geographic spacing criteria using the reference coordinates for the community of Medical Lake, Washington. These reference coordinates are:

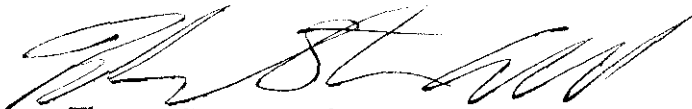
North Latitude 47-34-12
West Longitude 117-41-32

Exhibit II illustrates the location of the reference coordinates for the proposed allotment of DTV channel 51 to Medical Lake.

Certification

I, Thomas Desmond, declare and state that I am a graduate electrical engineer with a Bachelor of Science in Electrical Engineering earned from Washington State University in 1984. I further affirm and state that I am preparing this technical statement on my own behalf.

This technical statement and engineering work are true and correct to the best of my knowledge. Executed on May 4, 2004.

A handwritten signature in black ink, appearing to read 'T. Desmond', written in a cursive style.

Thomas S. Desmond
BSEE

Exhibit I: Digital TV Spacing Study

Channel 51, Digital

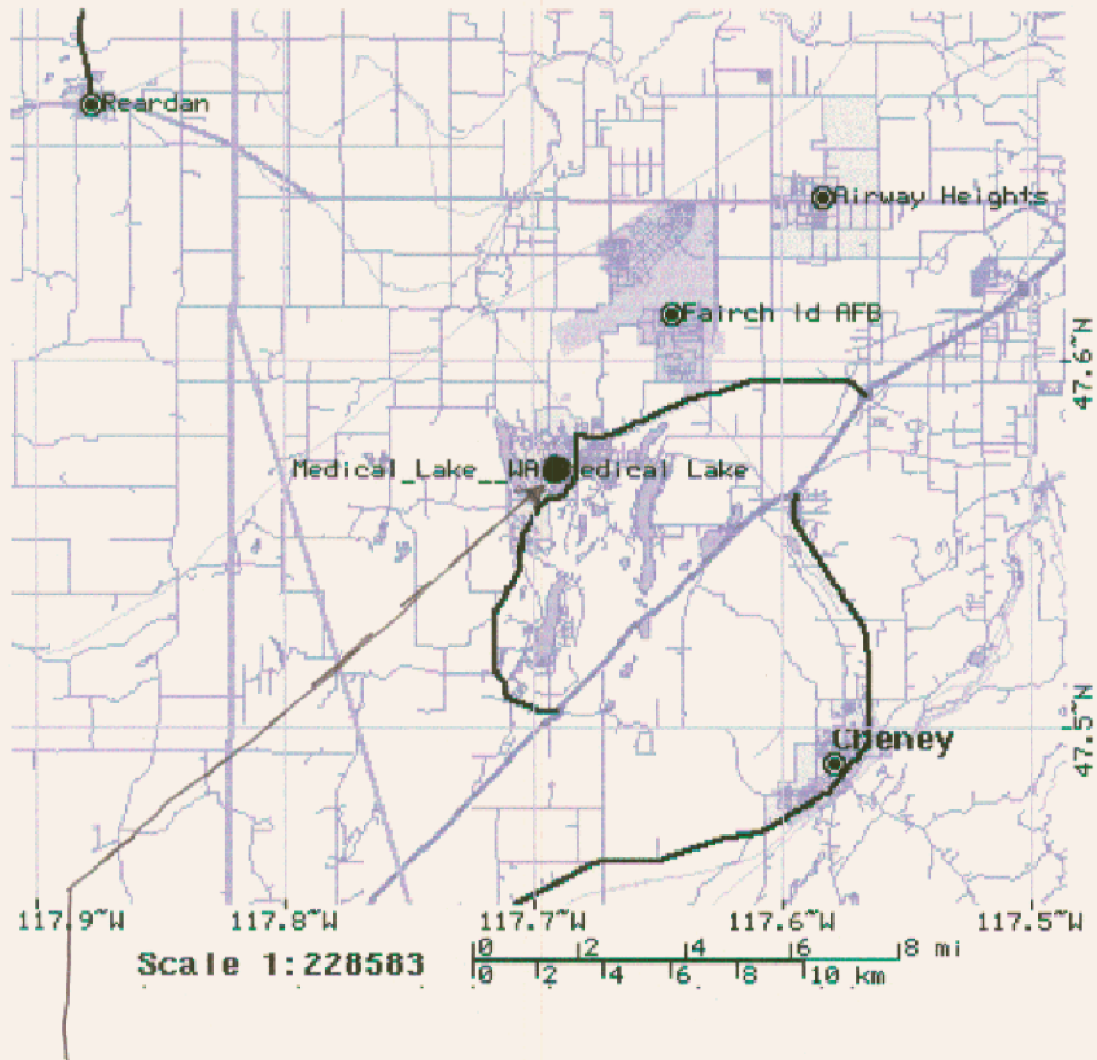
Zone II

Database: FCC 5/4/04

| Call City of License | Authorization File Number | Channel Zone | Distance (km) | Required (km) |
|-------------------------|------------------------------|-----------------|------------------|------------------|
| KYVE Yakima, WA | TV LIC BLET-419 | 47 II | 243.13 | 96.6 Clear |
| K48DZ Hermiston, OR | CA LIC BLTTL-19980814JD | 48 II | 215.00 | 96.6 Clear |
| KWWA Kennewick, WA | CA LIC BLTTA-20031009ACK | 49 II | 207.25 | 96.6 Clear |
| --- Osoyoos, BC, CA | TA | 49 -- | 209.30 | 96.6 Clear |
| --- Nelson, BC, CA | TA | 50 -- | 214.90 | 106.0 Clear |
| --- Fernie, BC, CA | TA | 51 -- | 289.24 | 244.6 Clear |
| --- Kelowna, BC, CA | TA | 51 -- | 289.04 | 244.6 Clear |
| --- Rossland, BC, CA | TA | 52 -- | 168.47 | 106.0 Clear |

>>End of DTV Channel 51 Zone II study<<

Exhibit II: Reference Coordinates for DTV51



N.L. 47-34-12
W.L. 117-41-32
Reference Coordinates